

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KIMBERLY MALONEY,

Plaintiff,

Civil Action No. 11-CV-14540

vs.

HON. BERNARD A. FRIEDMAN

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.  
\_\_\_\_\_

**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is presently before the Court on plaintiff's "motion for withdrawal and/or dismissal of complaint" [docket entry 11]. Defendant has not responded to this motion. Magistrate Judge Laurie J. Michelson has submitted a Report and Recommendation ("R&R") in which she recommends that plaintiff's motion be granted. Neither party has objected to the R&R and the time for doing so has expired. The Court has reviewed plaintiff's motion and the R&R and agrees with the magistrate judge that the motion should be granted. Accordingly,

IT IS ORDERED that plaintiff's motion for withdrawal and/or dismissal of the complaint is granted. The complaint is hereby dismissed without prejudice.

IT IS FURTHER ORDERED that the parties' cross motions for summary judgment are denied as moot.

Dated: November 13, 2012  
Detroit, Michigan

S/ Bernard A. Friedman \_\_\_\_\_  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE